

EXHIBIT C

VCCS Policy Section 3

Human Resources

The purpose of this section is to record the various personnel rules, regulations, policies, and procedures of the Federal and State governments, the State Board, and the System Office. Special attention is given to the difference in provisions for faculty and classified employees.

3.4 Faculty Appointment

3.4.0 Original and Continuing Appointment Policy (SB)

3.4.0.0 Definitions

- a. Appointment Dates -- The effective date for all appointments is July 1 through June 30 irrespective of whether the faculty employment contract covers a nine- or twelve-month period. The faculty employment contract shall specify the period of service, the rank, and the salary.
 1. The normal period of service for nine-month faculty is August 16 - May 15 and July 1 - June 30 for twelve-month faculty.
 2. In exceptional cases, nine-month teaching faculty may serve for twelve-months, July 1-June 30. Administrative faculty may serve for nine months; August 16-May 15.
 - i. To establish exceptional twelve-month teaching positions and nine-month administrative positions, the college must submit a request to the Chancellor explaining how the exception will better meet the needs of the college.
 - ii. For these twelve-month positions, the work schedule and leave are the same as that for twelve-month administrative and professional faculty members as stated in VCCS Policy 3.9.3.2.

- iii. The Chancellor may establish additional criteria for requests.
- b. Probationary Appointment -- The first year of employment for teaching faculty.
- c. One-year Appointment -- A one-year appointment shall be for one (1) year and may be renewed annually.
- d. Multi-year Appointments -- Multi-year appointments shall be three or five years in duration.
 - (1) Three-year Appointment -- A three-year appointment shall be for three (3) years and shall not be affected by change in faculty rank.
 - (2) Five-year Appointment -- A five-year appointment shall be for five (5) years and shall not be affected by change in faculty rank.
- e. Year of Service -- For purposes of eligibility for multi-year appointments, a year of full-time employment for both nine month and twelve-month faculty personnel is full-time employment for two academic semesters (fall and spring), the salary for which is chargeable to a single fiscal year's budget. Employment for less than this period shall not constitute a year of full-time employment and shall not count toward the time eligibility period for a multi-year appointment. An unauthorized absence of 14 days or less in an academic year will not cause that year to be discounted. See IV. Leave of Absence.
- f. Nonreappointment -- The decision not to renew the appointment of a faculty member at the end of the current appointment period.

3.4.0.1 Eligibility

- a. Faculty -- Only teaching faculty, counselors, and librarians, who are employed in unrestricted full-time appointments and have been recommended for reappointment, are eligible for three- and five-year appointments. Administrators who hold faculty rank, faculty members with the rank of assistant instructor or lecturer, or those on restricted appointments serve only one-year or shorter appointments. Whenever the person becomes otherwise qualified, full-time employment in these capacities counts toward the eligibility for a multi-year appointment.

3.4.0.2 Sequence of Appointment

- a. Normal Sequence -- The normal sequence of appointment under this policy is three (3) one-year appointments (one probationary then two one year appointments), one (1) three-year appointment, and then the first five-year appointment. The sequence of appointment is subject to all of the other provisions of this policy. Nothing shall limit the number of one- and three-year appointments which may be granted nor shall anything prohibit the granting of a shorter appointment to a faculty member who had previously held a longer term appointment.
- b. Continuance -- Once a faculty member has been granted a five-year appointment, subsequent three or five multi-year renewal is presumed unless cause for discontinuance is demonstrated following review by the Ad Hoc Appointment Advisory Committee.
- c. Termination of Employment -- Termination of employment with the VCCS constitutes a break in service for purposes of seniority. (See the Procedure for Reduction of Staff Holding Faculty Rank for the determination of seniority.)
- d. Transfer Within the VCCS -- Upon transfer from one college in the VCCS to another college in the System, the appointment proposals accepted by faculty members while at the former college shall be deemed voided upon such transfers. The normal sequence of appointments at the receiving colleges shall be for faculty members to receive two (2) one-year appointments before being considered for the type of appointments for which they would have been eligible had they remained at the former institutions.
- e. Change of Status -- For teaching faculty, counselors and librarians who hold a multi-year appointment, an appointment to an administrator's position shall void the multi-year appointment since administrators receive only one-year appointments. For administrators transferring to a teaching, counselor or librarian position, the normal sequence of appointment shall be for the faculty member to receive one (1) one-year appointment before being recommended to the Ad Hoc Appointment Advisory Committee for consideration of a multi-year appointment, based on total previous service in the VCCS.

3.4.0.3 Leave of Absence

- a. Education Leave

(1) Partial Pay -- Faculty members holding three- or five-year appointments who are granted educational leaves of absence with partial pay and are not employed full-time during at least two academic semesters of the period August 16 through August 15 of the following year shall have their current multi-year appointments extended for one year.

(2) An educational leave of absence, with or without pay, shall not disqualify the year of its occurrence as counting towards a year of service. No more than two academic years may be exempted from the years of full-time service requirement because of educational leave.

- b. Military Leave -- A military leave of absence, for a member of a reserve unit who is called to active duty, and who, upon completion of her or his military obligation, returns immediately to the college, shall not disqualify the active military duty period as counting towards a year of service for purposes of promotion or multi-year appointments.
- c. Leave With or Without Pay -- Periods of leave, with or without pay (except for the use of earned annual or sick leave, educational leave, sabbaticals, or military leave), of over 14 calendar days cause a discontinuity for a semester, disqualifying the semester from counting towards a full year of employment, unless specific arrangements have been made between the president and faculty member. The arrangements must be in writing and placed in the faculty member's personnel file prior to the beginning of the leave. No leave without pay agreement shall exceed one fiscal year in length.
- d. Extension -- An extension of more than two years beyond the original expiration date of a multi-year appointment is not authorized.

3.4.0.4 College Procedures

- a. Ad Hoc Appointment Advisory Committee -- The president shall establish an Ad Hoc Appointment Advisory Committee to provide information and advice for the president's consideration on all faculty members eligible for three- and five-year appointments.
- b. Committee Membership -- The distribution of the membership of this committee shall be determined by the president and shall be from the various segments of the college faculty (teaching faculty, counselors, and librarians) and administrators. Where practicable, the faculty membership shall be in general proportion to the college population of each such faculty segment, but in no case shall there be less than

one representative from each faculty segment. The various segments of the college faculty shall elect from their members their representatives on this committee. The president shall appoint administrators to this committee, but in no case shall administrative representatives exceed one-third (1/3) of the committee membership.

c. Committee Procedures

(1) The committee shall elect a chair from the membership and establish operating procedures necessary to fulfill its function in accordance with guidelines established by the president. Among these guidelines shall be provisions (a) that a faculty member eligible for a three- or five-year appointment may appear before the committee to present such information as the committee deems appropriate; and (b) in the event that an administrator has participated in any preliminary decision regarding the current evaluation of the faculty member in question, the administrator shall be replaced by another administrator appointed by the president for the consideration of that faculty member.

(2) The committee shall consider all eligible faculty for three- or five-year appointments and any other faculty who have been recommended for special consideration by the president.

3.4.0.4.0 Criteria for Multi-Year Appointments -- The criteria to be considered by the committee as it considers faculty for three- and five-year appointments shall include, but not be limited to, the following: (a) competence of faculty members as teachers or in their assigned functions; (b) effectiveness of faculty members in carrying out their functions and duties as prescribed in the college Faculty Handbook; (c) ability to establish and maintain positive professional relationships with colleagues, supervisors, students, and the community; (d) extent and currency of professional qualifications; (e) adherence to all policies, procedures and regulations as outlined in the college Faculty Handbook, the VCCS Policy Manual, any policy, procedure, and regulation adopted by the college or the VCCS, and the laws of the Commonwealth of Virginia; and (f) evaluations. Where additional criteria are considered, they shall be stated in the report of the committee. In order for the committee to consider appropriately the above criteria, the committee shall have access to all available information regarding each faculty member under consideration. Such information shall be retained in strict confidence by the committee.

3.4.0.5 General Provisions

3.4.0.5.0 Appointment

All appointments are considered approved by the State Board for Community Colleges upon execution of the faculty employment contract by the President or Chancellor if the appointment is made in accordance with the provisions of the VCCS Policy Manual and applicable state and federal law.

3.4.0.5.1 Probationary Teaching Appointment

- a. A probationary appointment is normally for the fall and spring semesters of the first academic year of employment. Faculty whose initial appointment occurs at any time other than the fall semester must still serve a two semester (fall/ spring) probationary appointment. Summer may not be used as a probationary period.
- b. Periods of leave, with or without pay of over 14 calendar days will normally disqualify a semester from counting towards the two semester probationary requirement. In such cases, the probationary period may be extended for one semester.
- c. To receive a one-year appointment, first year faculty must complete the probationary appointment with a summary evaluation rating of "meets expectations."
- d. First-year faculty who receive a "does not meet expectations" rating in either semester will not be reappointed, however they may be allowed to complete their employment contract period. They may continue to teach or be reassigned at the discretion of the president for the second semester. In accordance with the Nonreappointment Policy they must be notified by March 15th that they will not be reappointed for the following academic year.

3.4.0.5.2 Multi-year Appointments

Faculty members shall indicate their acceptance of the multi-year appointment by signing and returning the Appointment Proposal to the president within the designated timeframe. The president submits a certification to the Chancellor that the provisions of this Appointment Policy have been followed in the offering of multi-year appointments to college faculty.

3.4.0.5.3 Original and Continuing Appointment

By signing the Faculty Employment Contract, faculty agree to accept the general conditions of employment set forth in college policies and the VCCS Policy Manual. Additionally, each appointment is made expressly subject to the terms and conditions of the Appropriations Act of the Virginia General Assembly and the applicable laws of the Commonwealth of Virginia. Conditions of employment, academic rank, salary and beginning and ending dates shall be specified on the VCCS Faculty Employment Contract.

3.4.0.5.4 Non-reappointment or Change in Conditions

The president shall notify the faculty member in writing of the intent to non-reappoint or of any changes in the conditions of employment or special contingencies by the following dates.

1. Teaching Faculty:

- a. March 15 for teaching faculty in their probationary year of employment, second year of service, and third year of service.
- b. January 15 for teaching faculty on multi-year appointments and other faculty.

2. Administrative and Professional Faculty:

- a. January 15 for administrative and professional faculty.

Multi-campus Institutions -- In a multi-campus college within the VCCS, the provisions of this policy shall apply to the institution as a whole and service on one campus shall transfer to other campuses within the same college.

3.4.0.5.5 Reassignment of Administrative and Professional Faculty

The President/Chancellor may reassign administrative and professional faculty members during the contract period. A reassignment is a temporary change in administrative title, responsibilities, or assignment to another position or department. Reassigned faculty members will continue to receive no less than their contract salary until the end of the contract period. The duties of the reassigned position will be reasonably commensurate with the faculty member's education, experience, performance and needs of the college. Any reassignment made under this provision will be for a period of

less than one contract year. Permanent actions must meet the provisions of policy 3.4.0.5.4, Non-reappointment/Change of Conditions, where appropriate.